IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
LETTERS PATENT APPEAL NO.288 OF 2007

Mahadev Gavdu Patil ..Appellant.
V/s.
The Minister of State & Ors. ..Respondents.

Mr.S.S.Pakale for petitioner.

CORAM : SWATANTER KUMAR, C.J. &
J.P. DEVADHAR, J.

DATED : 14TH DECEMBER, 2007.

P.C. :

Learned counsel appearing for the appellant submits that the order passed by the respondents was in violation of principles of natural justice and the procedure prescribed under section 39 of the Bombay Village Panchayats Act, 1958 was not complied with. Further, it is contended that the grounds for disqualification of the appellant as member of Gram Panchayat was not established and as such, the disqualification ought to have been set aside by the learned Single Judge. We would take the last contention first and observe that it is the case wherein appellant has not specifically disputed that he has earned disqualification as contemplated under 14(1)(g) of the Act. Learned Single Judge has discussed various aspects of this contention and then came to a conclusion that the Court

had no hesitation to conclude that the authorities below have rightly found the petitioner to be disqualified under section 14 (1)(g) on account of award of contract to the son of the appellant, which itself illustrates the violation of the Act. Hence this contention was rejected. So far as the first contention raised by the appellant is concerned, it was neither specifically raised in the Writ Petition nor it has been mentioned in the impugned order. There is no reason in this Court for the appellant to raise any new ground and challenge the correctness of the order passed by the learned Single Judge.

2. Appeal is dismissed with no order as to costs.

CHIEF JUSTICE

J.P.DEVADHAR,

J.